

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

IN RE:

BofI HOLDINGS, INC.,  
SHAREHOLDER LITIGATION,

Case No.: 15-cv-2722-GPC-KSC

**ORDER LIFTING STAY**  
**[ECF No. 192]**

On March 5, 2024, the Court denied the Individual Defendants' motion to dismiss Plaintiff's Third Amended Shareholder Derivative Complaint in this action without prejudice and stayed the action pending resolution of the appeal in a related whistleblower action. ECF No. 192. The Court directed the parties to file monthly status reports. *Id.* at 3.

On March 5, 2025, the parties filed a joint status report informing the Court that the Ninth Circuit issued a memorandum opinion in the whistleblower action, that the Ninth Circuit denied BofI's petition for panel rehearing in the whistleblower action, and that, on March 4, 2025, the Ninth Circuit issued the mandate to the District Court in the whistleblower action. ECF No. 207 at 4.

The Court now lifts the stay in the instant action. The appeal in the whistleblower action has been resolved and the Ninth Circuit issued a mandate to the District Court. Therefore, it does not appear that there are any pending matters necessitating a stay. The Individual Defendants are directed to file a motion to dismiss Plaintiff's Third Amended Shareholder Derivative Complaint on or before April 4, 2025. If the Individual Defendants opt not to file a motion to dismiss, the parties must file a joint status report and contact the chambers of Magistrate Judge Crawford to schedule a case management conference on or before April 4, 2025.

## IT IS SO ORDERED.

Dated: March 6, 2025

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Hon. Gonzalo P. Curiel  
United States District Judge